

**AGREEMENT TO CONVEY AND REINSTATEMENT OF DEED OF TRUST AND  
AFFIDAVIT OF ERRONEOUS RECORDING**

NOW COMES Deutsche Bank National Trust Company by and through its Substituted Trustee, Floyd Healy, and hereby state as follows:

1. Jeron M. Moore and Yteral Moore aka Yterial Moore held record title to the following-described property located in DeSoto County, Mississippi:

Lot 49, Golden Oaks Community, situated in Section 29, Township 1 South, Range 7 West, as shown by plat of record in Plat Book 63, at Page 44, and revised in Plat Book 67, at Page 18, Chancery Clerk's office for DeSoto County, Mississippi, to which plat reference is hereby made for a more complete legal description.

2. On May 5, 2005, Jeron M. Moore and Yteral Moore aka Yterial Moore executed a Deed of Trust to First National Financial Title Services Inc., mistakenly referred to as First National Title Svs., Trustee for the benefit of Decision One Mortgage Company, LLC, which Deed of Trust was recorded in Book 2214, at Page 120, in the Office of the Chancery Clerk of DeSoto County, Mississippi; and
3. WHEREAS, said Deed of Trust was assigned to Deutsche Bank National Trust Company as Trustee as evidenced by an Assignment and Transfer of Lien filed on May 18, 2006, and recorded in Book 2474, at Page 655, in the records of the Chancery Clerk of DeSoto County, Mississippi; and
4. WHEREAS, said Deed of Trust was assigned to DEUTSCHE BANK NATIONAL TRUST COMPANY as Trustee under POOLING AND SERVICING AGREEMENT Dated as of July 1, 2005 MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-HE3 MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-HE3 as evidenced by an Assignment and Transfer of Lien filed on April 16, 2007, and recorded in Book 2699, at Page 657, and re-filed on May 14, 2007, and re-recorded in Book 2717, at Page 303, in the records of the Chancery Clerk of DeSoto County, Mississippi; and
5. DEUTSCHE BANK NATIONAL TRUST COMPANY as Trustee under POOLING AND SERVICING AGREEMENT Dated as of July 1, 2005 MORGAN STANLEY

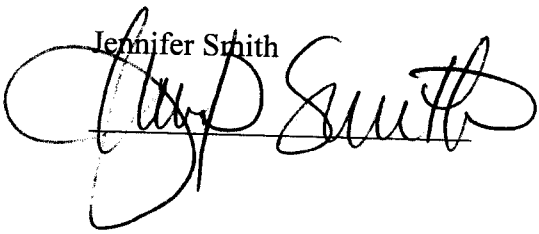
ABS CAPITAL I INC. TRUST 2005-HE3 MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-HE3, the holder of said Deed of Trust and the Note secured thereby, substituted Floyd Healy as Trustee therein as authorized by the terms thereof, as evidenced by and instrument filed of record on June 25, 2007, and recorded in Book 2742, at Page 164, and re-filed on July 6, 2007, and re-recorded in Book 2750, at Page 361, in the Office of the Chancery Clerk of DeSoto County, Mississippi; and

6. A Substituted Trustee's Sale of the afore-described property was scheduled for August 10, 2007, within legal hours (being between the hours of 11:00 a.m. and 4:00 p.m.) at the East front door of the DeSoto County Courthouse in Hernando, Mississippi, and Jennifer Smith purchased the real property for \$117, 024.35; and
7. Unbeknownst to DEUTSCHE BANK NATIONAL TRUST COMPANY as Trustee under POOLING AND SERVICING AGREEMENT Dated as of July 1, 2005 MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-HE3 MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-HE3 or Floyd Healy, Jeron M. Moore filed a Chapter 13 bankruptcy in the United States Bankruptcy Court, Northern District of Mississippi, Case No. 07-12630 prior to the aforementioned sale; and
8. As a consequent of mistake, error and/or oversight, the Substituted Trustee inadvertently held the sale on August 10, 2007, and executed a Substituted Trustee's Deed in favor of Jennifer Smith. Jennifer Smith subsequently filed the Substituted Trustee's Deed on August 20, 2007, in Book 566, at Page 572, in the Office of the Chancery Clerk of DeSoto County, Mississippi; and
9. The purpose of this Affidavit is to recount the erroneous filing of the aforementioned Substituted Trustee's Deed; and
10. Another purpose of this Affidavit is to express the parties' intentions that Jeron M. Moore and Yteral Moore aka Yterial Moore remain the title holder of record and that DEUTSCHE BANK NATIONAL TRUST COMPANY as Trustee under POOLING AND SERVICING AGREEMENT Dated as of July 1, 2005 MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-HE3 MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-HE3 by and through its undersigned officer, hereby

reaffirm the uninterrupted viability of the aforementioned Deed of Trust against the subject property; and

11. Jennifer Smith agrees to execute a Quitclaim Deed to Jeron M. Moore and Yteral Moore aka Yterial Moore conveying to Jeron M. Moore and Yteral Moore aka Yterial Moore such title as may have been acquired by it by virtue of the Substituted Trustee's Deed described in Paragraph 6 hereof. Upon providing proof of proper execution of the said Quitclaim Deed in favor of Jeron M. Moore and Yteral Moore aka Yterial Moore. Floyd Healy, Substituted Trustee agrees to immediately return the purchase price of \$117,024.35 via bank wire to Jennifer Smith. Jennifer Smith agrees to forward the original Quitclaim Deed and this original Agreement to Convey and Reinstatement of Deed of Trust and Affidavit of Erroneous Recording via overnight mail by September 10, 2007 to Floyd Healy, Substituted Trustee, c/o Robert Coleman, 1405 North Pierce, Suite 306, Little Rock, AR 72207.
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Witness my signature this 10th day of SEPTEMBER, 2007.

Jennifer Smith  


STATE OF MISSISSIPPI )

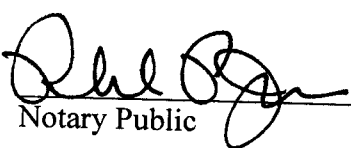
COUNTY OF DeSoto )

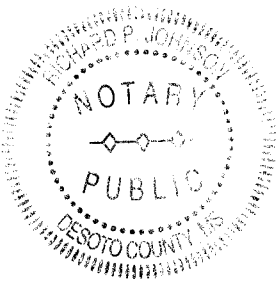
ACKNOWLEDGMENT

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, JENNIFER SMITH, to me personally well known, who stated that they signed and delivered the foregoing Affidavit of Erroneous Recording as their act and deed.

WITNESS MY SIGNATURE and seal of this office this 10th day of SEPTEMBER, 2007.

My Commission Expires:  
8.17.09

  
Notary Public



X

By: X

BK 2,929 PG 81

Witness our signatures this 18 day of Sep, 2007.

Jeron M. Moore

*[Signature]*

Witness my signature this 21 day of Sept, 2007.

Yteral Moore aka Yterial Moore

*[Signature]*

STATE OF Mississippi )

COUNTY OF Desoto )

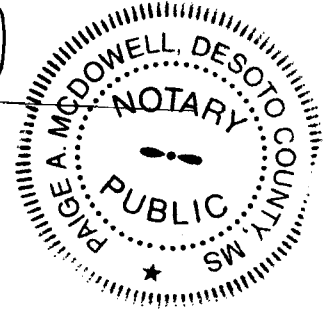
**ACKNOWLEDGMENT**

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Jeron Moore, to me personally well known, who stated that they signed and delivered the foregoing Affidavit of Erroneous Recording as their act and deed.

WITNESS MY SIGNATURE and seal of this office this 18 day of September,

My Commission Expires: 9-2-09

*[Signature]*  
Notary Public



MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES AUGUST 30, 2010  
BONDED THRU STEGALL NOTARY SERVICE

X

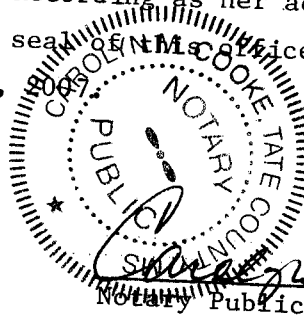
By: X

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

**ACKNOWLEDGEMENT**

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, YTERIAL MOORE AKA YTERAL MOORE, to me personally well known, who stated that she signed and delivered the foregoing Affidavit of Erroneous Recording as her act and deed.

WITNESS MY SIGNATURE and seal of this office this 21st day of Sept.



My Commission Expires:  
MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES SEPT 2, 2009  
BONDED THRU STEGALL NOTARY SERVICE

*[Signature]*  
Notary Public

Witness my signature this 11<sup>th</sup> day of September 2007.

Floyd Healy  
[Signature]

STATE OF Arkansas )  
COUNTY OF Pulaski )

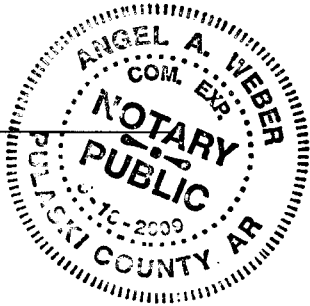
**ACKNOWLEDGMENT**

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Floyd Healy, to me personally well known, who stated that they signed and delivered the foregoing Affidavit of Erroneous Recording as their act and deed.

WITNESS MY SIGNATURE and seal of this office this 11<sup>th</sup> day of September, 2007.

My Commission Expires:  
5-18-09

[Signature]  
Notary Public



[Signature]

By: [Signature]

Witness my signature this 16 day of July, 2008

DEUTSCHE BANK NATIONAL TRUST  
COMPANY as Trustee under POOLING  
AND SERVICING AGREEMENT Dated as  
of July 1, 2005 MORGAN STANLEY ABS  
CAPITAL I INC. TRUST 2005-HE3  
MORTGAGE PASS THROUGH  
CERTIFICATES, SERIES 2005-HE3, by  
Barclays Capital Real Estate Inc. dba  
HomEq Servicing, Attorney-in-Fact

Name: Joseph M. Perry  
Title: Vice President

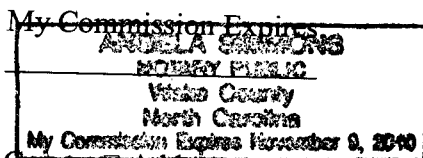
STATE OF NC )

COUNTY OF Wake )

**ACKNOWLEDGMENT**

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Joseph M. Perry, to me personally well known, who stated that he/she was the VP, of DEUTSCHE BANK NATIONAL TRUST COMPANY as Trustee under POOLING AND SERVICING AGREEMENT Dated as of July 1, 2005 MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-HE3 MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-HE3, by Barclays Capital Real Estate Inc. dba HomEq Servicing, Attorney-in-Fact a corporation, who acknowledged that for and on behalf of said corporation he/she signed and delivered the foregoing Affidavit of Erroneous Recording as the act and deed of said corporation.

WITNESS MY SIGNATURE and seal of this office this 16 day of July,



Grantor's Address:

Jennifer W. Smith  
557 Timberlane East  
Hernando, Mississippi 38632

Angela Summers  
Notary Public

Grantee's Address:

Jeron Moore and Yteral Moore  
1587 Golden Oaks Loop North  
Southaven, Mississippi 38671

This instrument prepared by and after recording please return to:

Floyd Healy  
1405 N. Pierce, Suite 306  
Little Rock, Arkansas 72202  
(501) 663-6200